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FILED
BILLINGS DIV.

2006 MAY 4 PM 3 13

PATRICK E. DUFFY, CLERK
BY _____
DEPUTY CLERK

6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

8 CYNTHIA JOHNSON, d/b/a PRIMROSE) Cause No. CV-05-63-BLG-RWA
9 ADULT ASSISTED LIVING AND DAYCARE,)
Plaintiff,)
vs.)
PRIMROSE MANAGEMENT, L.L.C;)
PRIMROSE PLACE, L.L.C; and PRIMROSE)
COTTAGES, L.L.C., d/b/a PRIMROSE)
RETIREMENT COMMUNITIES,)
Defendants.)

) NOTICE OF TAKING
DEPOSITION Rule 30(b)(6)

15
16 TO: Defendant PRIMROSE MANAGEMENT, L.L.C, PRIMROSE PLACE, L.L.C,
17 and PRIMROSE COTTAGES, L.L.C., d/b/a PRIMROSE RETIREMENT COMMUNITIES
18 and its attorney James Halverson:
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20 Pursuant to Rule 30(b)(6), Montana Rules of Civil Procedure, please take notice
21 that the undersigned will take the deposition of a person to be designated by
22 Defendants PRIMROSE MANAGEMENT, L.L.C, PRIMROSE PLACE, L.L.C, and
23 PRIMROSE COTTAGES, L.L.C., d/b/a PRIMROSE RETIREMENT COMMUNITIES who
24 is:

25 NOTICE OF DEPOSITION Rule 30(b)(6)- Page 1

1. Most knowledgeable regarding the research and investigation done by
2 the Defendants prior to deciding on Billings, Montana as the location for
3 the new Clearwater Retirement Home.
4. 2. The person most knowledgeable about the decision to locate a retirement
5 home in Billings, Montana and the factors that were considered in making
6 that decision.

7 The deposition will be taken upon oral examination before a court reporter, and
8 notary public or some other officer authorized by law to administer oaths at the
9 following time and location:

10 Date and Time: May 15, 2006, at 1:30 p.m

11 Location: Towe, Ball, Enright, Mackey,
12 & Sommerfeld, PLLP
13 2525 Sixth Avenue North
14 Billings, MT 59107-0457

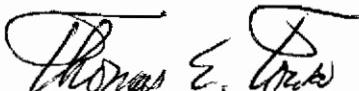
15 The oral examination will continue from day to day until completed.

16 You are notified to participate in said examination as you may consider fit and
proper.

17 Dated the 4th day of May, 2006.

18
19 TOWE, BALL, ENRIGHT, MACKEY
& SOMMERFELD, PLLP

20 By:



21 Thomas E. Towe, Attorney

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3 **CERTIFICATE OF SERVICE**

4 The undersigned hereby certifies that on the 9th day of May, 2006 a true and
5 correct copy of the foregoing **NOTICE OF DEPOSITION Rule 30(b)(6)** was served by
U. S. Mail, postage prepaid, to the following:

6 James R. Halverson
7 Halverson & Gilbert, PC
8 P. O. Box 80470
Billings, MT 59108-0470

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10 By: Erica Silboway
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